

REMARKS

Claim 21 has been amended. Claims 1-12, 21-32, and 41-51 are currently pending in the application.

The Examiner rejected claims 1-4, 21-24, 44-45, 48, and 50 under 35 USC § 102(e) for being anticipated by Hekematpour (USPN 6,052,676). The Examiner rejected claims 5-9, 12, 25-30, 32, 41-43, and 46-47 under 35 USC § 103(a) for being unpatentable over Hekematpour in view of Tse (USPN 6,169,533). The Examiner rejected claim 10 under 35 USC § 103(a) for being unpatentable over Hekematpour in view of Tse and DeStefano (USPN 6,075,531). The Examiner rejected claims 11 and 31 under 35 USC § 103(a) for being unpatentable over Hekematpour in view of Tse and Priem (USPN 4,907,174). The Examiner rejected claims 49 and 51 under 35 USC § 103(a) for being unpatentable over Hekematpour in view of Tse and Kaply et al. (USPN 5,841,420)(hereinafter "Kaply"). Applicant respectfully traverses these rejections and requests reconsideration of the application for at least the following reasons.

Reliance On Common Knowledge In The Art

The Manual Of Patent Examining Procedure states "[i]t is never appropriate to rely solely on 'common knowledge' in the art without evidentiary support in the record, as the principal evidence upon which a rejection was based." Section 2144.03(A). Furthermore, "any such facts so noticed should be of notorious character and serve only to 'fill in the gaps' in an insubstantial manner which might exist in the evidentiary showing made by the examiner to support a particular ground for rejection." Section 2144.04(E). And if an "applicant challenges a factual assertion as not properly officially

noticed or not properly based upon common knowledge, the examiner must support the finding with adequate evidence." Section 2144.04(C).

In rejecting independent claim 1, the Examiner stated on pages 2 and 3 of the office action:

Hekematpour teaches windows for accessing software programs (figs. 2i-2p). This window driven program is also program [sic] manager and a window manager. Any window that accesses other programs or procedures of any type is also a program manager. Further, windows require video signals. Hekematpour teaches use [sic] of buttons and icons for activating window driven functions (fig. 3a). These buttons demonstrate a type of window manager for running programs. ... Hekematpour teaches windows software (2i-2p). Such software inherently teaches a processor that acts as a window decoder for extracting a special window information from said video signal and responsively generating a display control signal; any type of circuitry that translates input entered into computer readable signals then back to human readable output is a type of window decoder.

Applicant respectfully disagrees that a window driven program is both a program manager and a window manager. Applicant disagrees that such software inherently teaches a processor that acts as a window decoder for extracting special window information from said video signal and responsively generating a display control signal. Applicant also disagrees with the Examiner's assertion that "any type of circuitry that translates input entered into computer readable signals then back to human readable output is a type of window decoder." Applicant respectfully requests the Examiner provide documentation supporting these assertions if the Examiner maintains the assertions in future actions.

In rejecting independent claim 4, the Examiner stated on page 4 of the office action that "[v]ideo data requires some type of decoding process" and

that any "sub-window is a type of special window." Applicant respectfully disagrees with the Examiner's conclusions. Video data does not always require decoding, and not all sub-windows are special windows. Applicant requests the Examiner provide documentation supporting this assertion if the Examiner maintains the assertion in future actions.

102 Rejection

In order for a reference to anticipate an invention, each and every element of the claimed invention must be found in a single reference. "Moreover, it is incumbent upon the examiner to identify wherein each and every facet of the claimed invention is disclosed in the applied reference." Ex parte Levy, 17 USPQ2d 1461, 1462 (Bd Pat App & Inter 1990). "The identical invention must be shown in as complete detail as is contained in the ... claim." MPEP § 2131. Applicant respectfully submits Hekematpour does not teach or disclose each and every element in claims 1-4, 21-24, 44-45, 48, and 50.

Hekematpour discloses a method and system for presenting interactive hypermedia objects on a computer system. Hypermedia applications, such as computer software training modules, provide on-line interactive multimedia training programs for users such as system operators and technicians. The hypermedia interface in Hekematpour is based on hypermedia modules that are partitioned into logical pages. "A logical page consists of a set of windows containing images (e.g. still, video, animation, graphics) and all associated description (text and audio). In other words, a logical page is the redefined collection of all related information (e.g. text, graphics, images, audio, instruction, animation, video clips) which can be made available to the user" (see col. 4, lines 24-33). A logical page has one primary window and none, one, or more secondary windows. A logical page may contain many different hypermedia objects, but it can only be opened by a call to its primary window.

All other windows in a logical page are either dependent and automatically linked to the primary window (or other secondary windows), or are pop-up windows which are activated via hypermedia links (see col. 4, lines 48-59).

Applicant respectfully submits the Examiner is not considering all of the claim language in Applicant's claims. Additionally, the Examiner does not identify where each and every facet of the claimed invention is disclosed in Hekmatpour. Applicant is therefore left to hypothesize how the Examiner applied Hekmatpour to its claimed invention.

Independent claim 1 specifically recites "a window manager to embed special window information in a video signal, wherein said video signal characterizes said image to be generated on said display." Nothing in Hekmatpour teaches a window manager for *embedding* special window information in a video signal.

Claim 1 also recites "a window decoder to extract said special window information from said video signal and responsively generate a display control signal, wherein said display control signal enables special processing of portions of said video signal associated with said one or more special windows, and wherein said special processing results in said one or more special windows being produced on said display with one or more display attributes that differ from non-processed portions of said video signal". Nothing in Hekmatpour *extracts* special window information from a video signal and *responsively generates* a display control signal to enable special processing of portions of the video signal, where the "special processing results in said one or more special windows being produced on said display with one or more display attributes that differ from non-processed portions of said video signal." Applicant therefore submits Hekmatpour does not anticipate

claim 1 because Hekematpour does not teach any of the claimed elements in claim 1.

In rejecting independent claim 21, the Examiner states on page 4 of the office action:

Hekematpour teaches a window on a screen that embeds a special window (fig. 2n, "video animation"). Hekematpour teaches the presence of icons on the said window. This technology demonstrates a method for extracting said special window information from said video signal using a window decoder (fig. 2i). Video data requires some type of decoding process. Hekematpour teaches generating display control signals in response to said window information to enable different processing of portions of said video signal associated with said one or more special windows to produce said one or more special windows on said display (fig. 2i-2p).

Applicant respectfully submits that a video animation window and icons on the window do not teach "embedding special window information in a video signal, wherein said video signal characterizes said image to be generated on said display" and "extracting said special window information from said video signal."

Furthermore, Figures 2i-2p simply illustrate alternate configurations of different sets of windows in a logical page. As discussed earlier, a logical page consists of a set of windows containing images (e.g. still, video, animation, graphics) and all associated description (text and audio). A logical page is the predefined collection of all related information (e.g. text, graphics, images, audio, instruction, animation, video clips) that can be made available to the user (see col. 4, lines 24-33). Applicant respectfully submits Figures 2i through 2p, and their corresponding descriptions, do not teach "generating a display control signal in response to said window information to enable different processing of portions of said video signal associated with said one or more

special windows, wherein said different processing results in said one or more special windows being produced on said display with one or more display attributes differing from non-processed portions of said video signal", as recited in claim 21. Applicant therefore submits Hekematpour does not anticipate claim 21 because Hekematpour does not teach any of the claimed elements in claim 21.

In rejecting independent claims 48 and 50, the Examiner states on page 5 of the office action:

Hekematpour teaches receiving a video signal that represents said image to be generated on said display, wherein the video signal includes at least one embedded key signal (fig. 2i-2p). Hekematpour teaches extracting at least one key signal from said video signal (col. 5, lines 25-35). Hekematpour teaches selectively generating a display control signal in response to said at least one key signal, wherein said display control signal indicates a target area within said one or more special windows to be specially processed (col. 5, lines 25-35).

Applicant respectfully submits Figures 2i-2p do not teach embedding at least one key signal into a video signal. Furthermore, Hekematpour does not teach "selectively generating a display control signal in response to said at least one key signal, wherein said display control signal indicates a target area within said one or more special windows is to be specially processed in order to display said target area with one or more display attributes that differ from non-target areas", as recited in claims 48 and 50. The Examiner argues lines 25 through 35 in column 5 of Hekematpour teach these elements. Lines 25 through 35 however, discuss the type of objects that may be included in a logical page, and how the objects function within the hypermedia environment. Applicant therefore submits Hekematpour does not anticipate claims 48 and 50 because Hekematpour does not teach any of the claimed elements in claims 48 and 50.

"Claims in dependent form shall be construed to incorporate by reference all the limitations of the claim incorporated by reference into the dependent claim." 37 CFR 1.75. Therefore, claims 2- 4 and 44 include all the limitations of claims 1, while claims 22-24, and 45 include all of the limitations of claim 21. For at least the reasons discussed above, Hekematpour does not anticipate independent claims 1 and 21. Consequently, Hekematpour does not anticipate dependent claims 2-4, 22-24, 44, and 45 either.

103(a) Rejections

The Manual of Patent Examining Procedure states the following in Section 2142:

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Applicant submits that the combination of Hekematpour and Tse, Hekematpour, Tse, and DeStefano, Hekematpour, Tse, and Priem, and Hekematpour, Tse, and Kaply, do not render Applicant's claimed invention obvious, since the combinations of references do not meet any of the three basic criteria listed above.

Hekmatpour and Tse

The Examiner rejected claims 5-9, 12, 25-30, 32, 41-43, and 46-47 in view of Hekmatpour and Tse. Applicant respectfully notes that the combination of Hekmatpour and Tse does not render Applicant's claims 5-9, 12, 25-30, 32, 41-43, and 46-47 obvious.

Claims 5-9 and 12 depend from independent claim 1, while claims 25-30, 32, and 41 depend from independent claim 21. Dependent claims refer back to and further limit an independent claim in the same application. "Claims in dependent form shall be construed to incorporate by reference all the limitations of the claim incorporated by reference into the dependent claim." 37 CFR 1.75. Therefore, claims 5-9 and 12 include all of the limitations in claim 1 (as well as the limitations in any intervening claims) and claims 25-30, 32, and 41 include all of the limitations in claim 21 (as well as the limitations in any intervening claims).

Applicant's arguments regarding Hekmatpour apply to this rejection. And Tse does not teach or suggest any of the claimed elements in claims 1 and 21. Therefore, Applicant submits dependent claims 5-9, 12, 25-30, 32, 41, and 46-47 are not obvious in view of Hekmatpour and Tse.

In rejecting independent claims 42 and 43, the Examiner stated "Hekmatpour and Tse teach the rationale of claims 42 and 43 in rejected claim 21." Applicant respectfully submits Hekmatpour and Tse do not teach or suggest any of the elements and limitations recited in claims 42 and 43. The combined references do not teach or suggest embedding special window information in a video signal, extracting the special window information, and responsively generate a display control signal.

Applicant further submits there is no motivation in either the references themselves or in the knowledge generally available to one of ordinary skill in the art to combine or modify Hekematpour and Tse. Therefore, for at least the reasons discussed above, Applicant respectfully submits the combination of Hekematpour and Tse does not render claims 5-9, 12, 25-30, 32, 41-43, and 46-47 obvious.

Hekematpour, Tse, and DeStefano

The Examiner rejected claim 10 in view of Hekematpour, Tse, and DeStefano. Applicant respectfully submits the combination of Hekematpour, Tse, and DeStefano does not render Applicant's claim 10 obvious.

Applicant submits there is no motivation in either the references themselves or in the knowledge generally available to one of ordinary skill in the art to combine or modify Hekematpour, Tse, and DeStefano. Furthermore, Claim 10 ultimately depends from independent claim 1, and therefore includes all of the limitations in claim 1 as well as all of the limitations in the intervening dependent claims. Applicant's arguments regarding Hekematpour and Tse apply to this rejection as well. Therefore, for at least the reasons discussed above, Applicant respectfully submits the combination of Hekematpour, Tse, and DeStefano does not render claim 10 obvious.

Hekematpour, Tse, and Priem

The Examiner rejected claims 11 and 31 in view of Hekematpour, Tse, and Priem. Applicant respectfully submits the combination of Hekematpour, Tse, and Priem does not render Applicant's claim 11 and 31 obvious.

Applicant submits there is no motivation in either the references themselves or in the knowledge generally available to one of ordinary skill in the art to combine or modify Hekematpour, Tse, and Priem. Furthermore, claim 11 ultimately depends from independent claim 1, and therefore includes all of the limitations in claim 1 as well as all of the limitations in the intervening dependent claims. And claim 31 ultimately depends from independent claim 21, and therefore includes all of the limitations in claim 1 as well as all of the limitations in the intervening dependent claims. Applicant's arguments regarding Hekematpour and Tse apply to this rejection as well. Therefore, for at least the reasons discussed above, Applicant respectfully submits the combination of Hekematpour, Tse, and Priem does not render claims 11 and 31 obvious.

Hekematpour, Tse, and Kaply

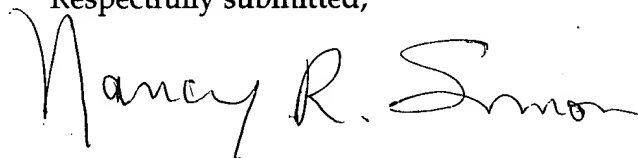
The Examiner rejected claims 49 and 51 in view of Hekematpour, Tse, and Kaply. Applicant respectfully submits the combination of Hekematpour, Tse, and Kaply does not render Applicant's claims 49 and 51 obvious.

Applicant submits there is no motivation in either the references themselves or in the knowledge generally available to one of ordinary skill in the art to combine or modify Hekematpour, Tse, and Kaply. Furthermore, claim 49 depends from independent claim 48, and therefore includes all of the limitations in claim 48. And claim 51 depends from independent claim 50, and therefore includes all of the limitations in claim 50. Applicant's arguments regarding Hekematpour and Tse apply to this rejection as well. Therefore, for at least the reasons discussed above, Applicant respectfully submits the combination of Hekematpour, Tse, and Kaply does not render claims 49 and 51 obvious.

In light of the amendments and discussion above, Applicant believes that all claims currently remaining in the application are allowable over the prior art, and respectfully requests allowance of such claims.

Date: August 9, 2004

Respectfully submitted,

A handwritten signature in cursive script that reads "Nancy R. Simon". The signature is written in dark ink and is positioned to the right of the typed name.

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